PETITION FOR SPECIAL EXCEPTION 85-197-X TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for Service Garage with no outdoor storage of disabled motor vehicles. Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County. I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of he propert, which is the subject of this Petition. Contract Purchaser: Legal Owner(s): Doris L. Ireland (Type or Print Name) (Type or Print Name) City and State Attorney for Petitioner: 6311 Sherwood Road Baltimore, Maryland 21239 Item 179 406 W. Pennsylvania Avenue Name, address and phone number of legal owner, contract purchaser or representative to be contacted S. Eric DiNenna Towson, Maryland 21204 406 W. Pennsylvania Avenue Towson, Maryland 21204 296-6820 Attorney's Telephone No.: (301) 296-6820 ORDERED By The 2 ing Commissioner of Baltimore County, this _____6th_____ day of ___February_____, 19.85__, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Connissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County on the ______ 19th ____ day of _____March_____, 19_85_, at 10:15_ o'clock FOR RECEIVED Zoning Commissioner of Baltimore County. ORDER BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

E/S of Sherwood Rd., 171' S from the Centerline of Overbrook Rd.,: OF BALTIMORE COUNTY 9th District Case No. 85-197-X DORIS L. IRELAND, Petitioner ::::::: ENTRY OF APPEARANCE Please enter the appearance of the People's Counsel in the above-captioned matter. Nr es should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order. Phyllis Cole Friedman People's Counsel for Baltimore County Peter Max Zimmerman Deputy People's Counsel Rm. 223, Court House Towson, MD 21204 I HEREBY CERTIFY that on this 5th day of March, 1985, a copy of the foregoing Entry of Appearance was mailed to S. Eric DiNenna, Esquire, 406 W. Pennsylvania Ave., Towson, MD 21204, Attorney for Petitioner. Peter Max Zimmerman

RE: PETITION FOR SPECIAL EXCEPTION E/side of Sherwood Road, 171' S from centerline of DEPUTY ZONING COMMISSIONER Overbrook Road. 9th Election District OF BALTIMORE COUNTY Doris L. Ireland - Petitioner Case No. 85-197-X * * * * * * * * The Petitioner requests a special exception for a service garage in a B.L. - C.N.S. Zone. The Petitioner proposes to convert the existing building to a service garage operation with no outdoor storage of disabled motor vehicles.

Testimony presented on behalf of the Petitioner indicates that the family has owned the property since the 1920's. Case No. 63-154 granted a special exception for a service station. The special exception was utilized from 1964 until November 1984 when Shell Oil Company withdrew from business at this location and removed its gas tanks. The same leasee operated the service station for 15 years and continues the service garage functions by utilizing the existing facilities. There will be no additional buildings or paving and no body or fender work. The hours of operation are generally from 7:00 a.m. to 6:00 p.m. Monday through Friday, and from 8:00 a.m. to 2:00 p.m. on Saturday. A maximum of 30 cars per day will be serviced.

The site has grassy areas and flowering trees, and dense shrubbery along the rear property line and has received awards for attractive appearance from both the 1 company and area community association.

one appeared in protest.

ter due consideration of the testimony and evidence presented and it appearing that the requirments of Section 502.1 of the Baltimore County Zoning Regulations have been met and the health, safety, and general welfare of the community will

not be adversely affected, the special exception should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this $25^{\frac{26}{2}}$ day of April, 1985, that the Petition for Special Exception for a service garage, with no outdoor storage of disabled motor vehicles, in accordance with the site plan prepared by Malcolm E. Hudkins, registered land surveyor, revised April 3, 1985, and marked Petitioner's Exhibit 2, is GRANTED, from and after the date of this Order, subject to the following:

- 1. No body or fender work shall be allowed.
- 2. Hours shall not exceed 7:00 a.m. to 9:00 p.m. Monday through Saturday.
- 3. Landscaping shall be in accordance with requirements of Current Planning and Development Division.

CEIVED

ARNOLD JABLON ZONING COMMISSIONER

JEAN M. H. JUNG DEPUTY ZONING COMMISSIONER

April 25, 1985

S. Eric DiNenna, Esquire 406 W. Pennsylvania Avenue Towson, MD 21204

> RE: PETITION FOR SPECIAL EXCEPTION E/side of Sherwood Road. 171' S from centerline of Overbrook Road, 9th Election District Doris L. Ireland - Petitioner

Dear Mr. DiNenna:

I have this date passed my Order in the above captioned matter in accordance

Very truly yours, JEAN M.H. JUNG Deputy Zoning Commissioner

Case No. 85-197-X

JMHJ:bg

Attachments

cc: People's Counsel

DINENNA, MANN & BRESCHI ATTORNEYS AT LAW

406 WEST PENNSYLVANIA AVE. TOWSON, MARYLAND 21204

(301) 296-6820

April 15, 1985

Ms. Jean Jung, Deputy Zoning Commissioner Office of Planning and Zoning County Office Building Towson, Maryland 21204

> RE: Case No.: 85-197-X Petitioner: Doris L. Ireland Special Exception Petition

Dear Ms. Jung:

S. ERIC DINENNA, P.A.

JAMES L. MANN, JR., P.A.

GEORGE A. BRESCHI, P.A.

ROBERT A. BRESCHI

As per your request, enclosed herewith please find four (4) copies of revised plats showing the screening as per your request at the time of the hearing.

Accordingly, would you be so kind as to issue an Order in accordance with your statements at the time of the hearing and if you have any questions do not hesitate to ca call upon me.

S. ERIC DINENNA

SED/neb Enc. cc: Mrs. Doris L. Ireland

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3211 norman e gerder Director

> Mr. Arnold Jablon Zoning Commissioner County Office Building Towson, Maryland 21204

1/24/85

Re: Zoning Advisory Meeting of 11/27/84 Property Owner: Emilio Alecci, etal. Location: M/W/S Burke 2d. sw & old york Rd.

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are

)There are no site planning factor: requiring comment.
)A County Review Group Meeting is required.
)A County Review Group meeting was held and the minutes will be forward by the Bureau of Public Services.
)This site is park of a larger tract; therfore it is defined as a subdivision. The plan must show the entire tract.
)A record plat will be required and must be recorded enter.)A record plat will be required and must be recorded prior to issuance of a building permit.)The access is not satisfactory. The circulation on this site is not satisfactory. The parking arrangement is not satisfactory.

Parking calculations must be shown on the plan.)This property contains soils which are defined as wetlands, and development on these soils is prohibited.
)Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations. Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
)The amended Development Plan was approved by the Planning Board)Landscaping: Must comply with Baltimore County Landscape Manual. The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service ()The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and as conditions change traffic canacity may become more limited. The Basic Services Areas are re-e aluated annually by the County Council. (x) Additional comments:
Crusher rune dans driving must be gaved.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon TO Zoning Commissioner

Norman E. Gerber, Director FROM Office of Planning and Zoning No. 85-197-X SUBJECT Doris L. Ireland

> This office is not opposed to the granting of the petitioner's request; however, if granted, details of landscaping should be shown on the plan, particularly to buffer the development from the residentially zoned property to the rear of the sitc.

> > Norman E. Gerber, Director Office of Planning and Zoning

Date_ March 12, 1985_____

NEG/JGH/sf

7 mm 6

Regulations

85-197-X

Attorney

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

Your petition has been received and accepted for filing this day of February, 1988.

Zoning Commissioner

Doris L. Ireland Petitioner's

S. Eric DiNenna, Esquire Chairman, Zoning Plans Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

March 5, 1985

COUNTY OFFICE BLDG. 111 W. Chesapeake Ave. Towson, Maryland 21204

Chairman

MEMBERS

Bureau of

Department of

Fire Prevention

Health Department

Building Department Board of Education

Zoning Administration

Project Planning

Industrial

. Eric DiNenna, Esquire 406 West Pennsylvania Avenue Towson, Maryland 21204 Nicholas B. Commodari

> RE: Item No. 179 - Case No. 85-197-X Petitioner - Doris L. Ireland Special Exception Petition

The Zoning Plans Advisory Committee has reviewed the lans submitted with the above referenced petition. The collowing comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

In view of your client's proposal to convert the existing building to a service garage operation, this hearing is required.

The site plans were revised, showing the correct zoning line, prior to obtaining the enclosed comments from the Department of Traffic Engineering. In view of this, either the site plan should reflect said comments, or you should contact Mr. Michael Flanigan at 494-3554 to discuss this matter prior to the scheduled hearing. Also, the method matter prior to the scheduled hearing. Also, the method of assuring that the D.R. 5.5 zoned portion of this site will not be utilized as part of the operation; i.e., parking, should be indicated.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours, Techelor B. Connederi, Lec NICHOLAS B. COMMODARI, Chairman Zoning Plans Advisory Committee

NBC:bsc Enclosures

cc: Hudkins Associates, Inc.

200 East Joppa Road 21204

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P. E. DIRECTOR

March 4, 1985

Mr. Arnold Jablon Zoning Commissioner County Office Building Towson, Maryland 21204

> Re: Item #179 (1984-1985) Property Owner: Doris L. Ireland E/S Sherwood Rd. 171 S. from centerline Overbrook Rd. Acres: 0.54 District: 9th

Dear Mr. Jablon:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject

General Comments:

As no public facilities are involved, this office has no comment.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which way result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

JAM: EAM: REC:ss

cc: File

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING TOWSON, MARYLAND 21204 NORMAN E. GERBER DIRECTOR

Mr. Arnold Jablon Zoning Commissioner County Office Building Towson, Maryland 21204

1/28/85

Re: Zoning Advisory Meeting of 1/2/85 Item # 179 Property Owner: Don's L. Iraland Location: Els Sharwood Rd. Strom Overbrook Rd.

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are

There are no site planning factors requiring comment.

)A County Review Group Meeting is required.
)A County Review Group meeting was held and the minutes will be forward by the Bureau of Public Services.)This site is part of a larger tract; therfore it is defined as a subdivision. The plan must show the entire tract.)A record plat will be required and must be recorded prior to issuance of a building permit.)The access is not satisfactory. The circulation on this site is not satisfactory. The parking arrangement is not satisfactory. Parking calculations must be shown on the plan. This property contains soils which are defined as wetlands, and development on these soils is prohibited.

Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
)Development of this site may constitute a potential conflict with the Baltimore County Naster Plan.

The amended Development Plan was approved by the Planning Board (X)Landscaping: Must comply with Baltimore County Landscape Manual.

(The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas

One handingfed garking space is required.

are re-evaluated annually by the County Council.

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204

STEPHEN E. COLLINS DIRECTOR

February 8, 1985

Mr. Arnold Jablon Zoning Commissioner County Office Building Towson, Maryland 21204

> Item No. 179 -ZAC- January 2, 1985 Property Owner: Doris L. Ireland E/S Sherwood Road 171' S. from c/1 Overbrook Road Existing Zoning: B.L.-CNS Proposed Zoning: Special exception for a service garage with no outdoor storage of disabled motor vehicles.

District:

Dear Mr. Jablon:

The site plan should be revised for the following items. 1. Site should be restricted to one point of access and

that access road should be the standard 24' wide entrance with 12' radius. 2. The 8' setback for parking should be maintained.

> Michael S. Flanigan
>
> Traffic France Traffic Engineering Assoc. II

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON MARYLAND 21204-2586
494-4500

PAUL H. REINCKE CHIEF January 7, 1985

Mr. Arnold Jablon Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building Towson, MD 21204

Attention: Nick Commodari, Chairman Zoning Plans Advisory Committee

RE: Property Owner: Doris L. Ireland

Location: E/S Sherwood Road 171' S. from c/l Overbrook Road

Zoning Agenda: Meeting of 1/2/85 Item No.: 179 Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

EXCEEDS the maximum allowed by the Fire Department.

() 3. The vehicle dead end condition shown at

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Ccle", 1976 Edition prior

() 6. Site plans are approved, as drawn.

Special Inspection Division

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & UCENSES
TOWSON, MARYLAND 21204
494-3610

January 11, 1985

TED ZALESKI, JR. Mr. Arnold Jablon, Zoning Commissioner Office of Planning and Zoning County Office Building Towson, Maryland 2120

Dear Mr. Jablon:

Comments on Item # 179 Zoning Advisory Committee Meeting are as follows:

Property Owner:
Location:
E/S Sherwoof Road 171 S. from c/1 Overbrook Road
Existing Zoning:
Proposed Zoning:
Special exception for a service garage with no outdoor storage of disabled motor vehicles.

All structures shall conform to the Baltimore County Building Code 1981/Council Bill 4-82 State of Maryland Code for the Handicapped and Aged: and other appli-

miscellaneous

A building/ & other / permit shall be required before beginning construction. C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/is not required. Non-reproduced seals and signatures are required on Plans and Technical Data.

D Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.

E. An exterior wall erected within 6'0 for Commercial uses or 3'0 for One & Two Family use group of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'0 of lot lines. A firewall is required if construction is on the lot line, see Table 101, line 2, Section 1407 and Table 1402, also Section 503.2.

F. Requested variance appears to conflict with the Baltimore County Building Code, Section/s

G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will mert the Code requirements for the proposed change. Brawings may require

H. Before this office can comment on the above structure, please have the owner. thru the services of a Registered in Karyland Architect or Engineer certify to this office, that, the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 401.

Comments - Show compliance to State Handicapped Code, parking, curb cuts, ramps, sign, building access, etc., etc.

NOTE: These comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, additional information may be obtained by visiting Room 122 (Plaus Review) at 111 W. Chesapeake Ave.,

Yery truly yours, Charles E. Burnhan, Chief

Eugene A. Bober Chief, Current Planning and Development

cc: James Hoswell

February 20, 1985 PETITION FOR SPECIAL EXCEPTION S. Eric DiNenna, Esquire 9th Election District 406 West Pennsylvania Avenue LOCATION: East side Sherwood Road, 171 ft. South from the centerline of Overbrook Road Towson, Maryland 21204 NOTICE OF HEARING RE: Petition for Special Exception E/S Sherwood Rd., 171 S from the c/1 of Overbrook Road DATE AND TIME: Tuesday, March 19, 1985 at 10:15 A.M. PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland Doris L. Ireland - Petitioner Case No. 85-197-X The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing: TIME: 10:15 A.M. Petition for Special Exception for a service garage with no outdoor storage of disabled motor vehicles DATE: Tuesday, March 19, 1985 PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland Being the property of Doris L. Ireland the plat filed with the Zoning Office. In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entergood cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing. BY ORDER OF ARNOLD JABLON Zoning Compilssioner of Raltimane County ZONING COMMISSIONER OF BALTIMORE COUNTY No. CO3115 BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT DATE 1./3//84 R-01-615-000 AMOUNT \$ 100,00 PRECEIVED S. Eric Williams Don's Ireland C Calebra 1000cia 121ct VALIDATION OR SIGNATURE OF CASHIER BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353 COLUMBIA OFFICE TOWSON OFFICE WALTER PARK HUDKINS ASSOCIATES, INC. Registered Surveyor Engineers, Surveyors and Landscape Architects PHONE 730-9060 ARNOLD JABLON ZONING COMMISSIONER 200 EAST JOPPA ROAD ROOM 101, SHELL BUILDING TOWSON, MARYLAND 21204 November 26, 1984 March 13, 1985 DESCRIPTION FOR SPECIAL EXCEPTION: S. Eric DiNenna, Esquire 406 W. Pennsylvania Averue Towson, Maryland 21204 Beginning for the same the two following courses and distances from the intersection formed by the centerline of Overbrook Road with the Re: Petition for Special Exception E/S Sherwood Pd., 171' £ of c/l of Overbrook Rd. Doris L. Ireland - Petitioner Case No. 85-197-X centerline of Sherwood Road viz: (1) South 0 degrees 03 minutes West 171 feet + (2) South 89 degrees 57 minutes East 30.00 feet thence South 89 dgrees 57 minutes East 155.00 feet thence South 0 degrees 03 minutes West 150.00 feet Dear Mr. DiNenna: This is to advise you that \$47.38 is due for advertising and posting thence North 89 degrees 57 minutes West 155.00 feet to the east side of said Sherwood Road thence binding thereon North 0 degrees 03 minutes East This fee must be paid and our zoning sign and post returned on the day of the hearing before an Order is issued. Do not remove sign until day of hearing. 150.00 feet to the place of beginning. Containing 0,54 Acres of land more or less. Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, Saving and Excepting that portion of the above property zoned D.R. 5.5. Towson, Maryland 21204, before the hearing. Sincerely, BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE-REVENUE DIVISION No. 005364 IOLD JABLON MISCELLANEOUS CASH RECEIPT ing Commissioner Malcolm E. Hudkins Registered Surveyor #5095 DATE March 26, 1985 _ACCOUNTR-01-615-000 AMOUNT \$ 47.38 RECEIVED Doris L. Ireland Advertising and Posting Coasts of Case #85-197-X
(Doris L. Ireland-Petitioner) · 8017*****4738:a \$264F

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	COCATION: East aide Sherwood Road, 171 South from the continue of Overtreck Road DATE AND TAKE: Twender, March 18, 1985 of 19 5 and 19 5 and Take: Twender, March 18, 1985 of PUBLIC III. APAND Room 108, County Other Building, 111 West Chesa; sake Avenue Towson, Maryland The Zoning Comment. for of Baltimore County, by sushonly of the Zoning Act and Regulations of Baltimore County, use notice.	Towson, Md		1985.
And the second s	garage with no outdoor storage of disabled motor whices. Being the property of Done L. Instend as shown on the plat had with the Zoning Office. In the avent that this Penton is gramed, a busting permit may be sessed within the thirty (30) day appeal portion. The Zoning Commissions will however, enterties any request for a stay at the resulting of and permit during the pend to good classe shows: Such request must be received in setting by the date of the hearing set above or made at the hoesing. BY OHDER OF	THIS IS TO CERTIFY, to was published in the TO paper distributed in To- once a week for	hat the annexed advertise WSON TIMES, a weekly wson, Baltimore County consecutive week ag on the	news-
	20NING COMMISSIONER OF BALTIMONE COUNTY bible 2006 227	Cost of Advertise	the TOWSON TIMES 2 Consulto ment: \$ 2438	Colombia de la socialità della companie della colombia della colom
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District	5 pecial A	Exception	Date of Posting 3/	
reuuoner:	Dexis L. IX property: F/3 54,7	<u>e/271 d</u>		

Location of Signer Facing Shorwood Rd, attached To - yis time

plage, Approx. 45' From road way - on property of at hoin

Remarks: Permission growled by Mor. to other sign to bldg.

Number of Signs:

